



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - AGENDA

Meeting Type: Regular Meeting
Meeting Location: **Council Chambers & Council Conference Room, City Hall**
288 Central Ave., Dover, NH 03820
Meeting Date: **Thursday, May 21, 2020**
Meeting Time: **7:00 pm**

IN RESPONSE TO THE COVID-19 CORONAVIRUS, AND IN ACCORDANCE WITH RECOMMENDATIONS BY STATE AND FEDERAL HEALTH OFFICIALS LIMITING PUBLIC GATHERINGS, THE PUBLIC IS ENCOURAGED TO TEMPORARILY ACCESS PUBLIC MEETINGS REMOTELY, INCLUDING CABLE TELEVISION AND ONLINE STREAMING, AND SUBMIT COMMENTS FOR PUBLIC HEARINGS AND CITIZEN'S FORUM IN WRITING BY EMAIL: ZoningBoardAll@dover.nh.gov OR POSTAL MAIL ADDRESSED TO: PLANNING DEPARTMENT, CITY OF DOVER, 288 CENTRAL AVENUE, DOVER, NH 03820. THE PUBLIC MAY ALSO SUBMIT COMMENTS BY LEAVING A VOICE MESSAGE AT: 516-MEET (6338). PRECAUTIONS IN PUBLIC MEETING ROOMS WILL INCLUDE LIMITING THE NUMBER OF PEOPLE TO 10, THE USE OF OVERFLOW SPACE IF NECESSARY, AND THE REMOTE PARTICIPATION BY SOME BOARD MEMBERS.

1. ATTENDANCE

2. APPROVAL OF MEETING MINUTES OF APRIL 16 AND APRIL 21, 2020

3. HEARINGS

- A. Z19-18 Applicant/Owner R. Craig Williams, 105 Middle Road (Take Map K, Lot 6), located in the Rural Residential (R-40) Zoning District, requests a variance from **Section 170-12.A** of the Zoning Ordinance to permit a two-family dwelling, where two-family dwellings are only permitted as a conversion of a single-family dwelling that existed before May 27, 1964, provided that there is at least 4,000 square feet of lot area per dwelling unit and each unit is a minimum of 500 square feet. The Applicant plans to demolish the existing pre-1964 dwelling.

4. OTHER BUSINESS

5. ADJOURN

Persons with questions or interested in reviewing the meeting materials are invited to visit the Planning Department located in City Hall, open Monday-Thursday from 8:30 am to 5:30 pm and Friday from 8:30 am to 4:00 pm. The meeting materials are also available online at www.dover.nh.gov. Follow us on Twitter @DoverNHPlanning and find us on Facebook at <https://www.facebook.com/DoverNHPlanning>.



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - MINUTES

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Meeting Date: Thursday, April 16, 2020
Meeting Time: 7:00 pm

1. ATTENDANCE

The board members introduced themselves, stated their current locations and that they agree to the terms of the video conference call.

Members Present: Chris Prior (Chair), Rich Onufry (Alternate), George Reagan (Vice Chair), Nick Couturier, Anthony Sillitta (Alternate)

Members Absent (Excused): James Burdin (Alternate)

Members Absent (Unexcused): Otis Perry (Vice Chair), Frank Landford

Staff Present: Elena Piekut (Assistant City Planner, Zoning Administrator)

The Chair called the meeting to order at 7:05 PM and announced the following:

GIVEN THE SOCIAL DISTANCING PRACTICES NEEDED TO SLOW AND CONQUER THE SPREAD OF THE COVID-19 CORONAVIRUS BEING RECOMMENDED BY OUR FEDERAL AND STATE HEALTH OFFICIALS, AND IN ACCORDANCE WITH THE DIRECTIVES ISSUED BY THE GOVERNOR OF OUR STATE TO LIMIT PUBLIC GATHERINGS, THE PUBLIC IS ENCOURAGED TO TEMPORARILY ACCESS PUBLIC MEETINGS OF THE CITY OF DOVER REMOTELY, INCLUDING WATCHING CABLE TELEVISION CHANNEL 22 AND ONLINE STREAMING ACCESSIBLE THROUGH THE CITY WEBSITE. WE HAVE ENSURED THAT DOVER CITIZENS CAN STAY INFORMED WHILE REMAINING IN THE COMFORT OF THEIR OWN HOMES BY OBSERVING MEETINGS REMOTELY. CITIZENS CAN ALSO REMAIN ENGAGED—WE ENCOURAGE COMMENTS ON SCHEDULED PUBLIC HEARINGS TO BE SUBMITTED EITHER IN WRITING BY EMAIL: DOVER.PLANNING@DOVER.NH.GOV OR ZONINGBOARD-ALL@DOVER.NH.GOV OR POSTAL MAIL: Planning Department, 288 CENTRAL AVENUE, DOVER, NH 03820. CITIZENS MAY ALSO SUBMIT COMMENTS FOR ANY SCHEDULED PUBLIC HEARING OR CITIZEN'S FORUM BY LEAVING A VOICE MESSAGE AT: 516-MEET (6338). ALL MESSAGES THAT ARE RECEIVED FROM CITIZENS BY THESE MEANS ARE PROMPTLY FORWARDED TO ALL MEMBERS OF THE ZONING BOARD AND WILL BE PUBLICLY ACKNOWLEDGED AS BEING RECEIVED AND WILL BE MAINTAINED WITH THE MEETING MINUTES.

2. APPROVAL OF MEETING MINUTES OF MARCH 19, 2020

The Chair read the following:

GIVEN THE SOCIAL DISTANCING PRACTICES NEEDED TO SLOW AND CONQUER THE SPREAD OF THE COVID-19 CORONAVIRUS BEING RECOMMENDED BY OUR FEDERAL AND STATE HEALTH OFFICIALS, AND IN ACCORDANCE WITH THE DIRECTIVES ISSUED BY THE GOVERNOR OF OUR STATE TO LIMIT PUBLIC GATHERINGS, THE PUBLIC IS ENCOURAGED TO TEMPORARILY ACCESS PUBLIC MEETINGS OF THE CITY OF DOVER REMOTELY, INCLUDING WATCHING CABLE TELEVISION CHANNEL 22 AND ONLINE STREAMING ACCESSIBLE THROUGH THE CITY WEBSITE. WE HAVE ENSURED THAT DOVER CITIZENS CAN STAY INFORMED WHILE REMAINING IN THE COMFORT OF THEIR OWN HOMES BY OBSERVING MEETINGS REMOTELY. CITIZENS CAN ALSO REMAIN ENGAGED—WE ENCOURAGE COMMENTS ON SCHEDULED PUBLIC HEARINGS TO BE SUBMITTED EITHER IN WRITING BY EMAIL: DOVER.PLANNING@DOVER.NH.GOV OR ZONINGBOARD-ALL@DOVER.NH.GOV OR POSTAL MAIL: Planning Department, 288 CENTRAL AVENUE, DOVER, NH 03820. CITIZENS MAY ALSO SUBMIT COMMENTS FOR ANY SCHEDULED PUBLIC HEARING



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OR CITIZEN'S FORUM BY LEAVING A VOICE MESSAGE AT: 516-MEET (6338). ALL MESSAGES THAT ARE RECEIVED FROM CITIZENS BY THESE MEANS ARE PROMPTLY FORWARDED TO ALL MEMBERS OF THE ZONING BOARD AND WILL BE PUBLICLY ACKNOWLEDGED AS BEING RECEIVED AND WILL BE MAINTAINED WITH THE MEETING MINUTES.

Motion: Rich Onufry moved to approve the minutes of March 19, 2020 as submitted. Seconded by Nick Couturier.

Roll Call vote: Rich Onufry - yes, George Reagan - abstained, Nick Couturier - yes, Anthony Sillitta - abstained, Chris Prior -yes

The Chair explained the process for hearings.

3. HEARINGS

- A. Z20-03 Applicant/Owner Sun Jensen, LLC, 6 ½ Deerfield Drive (Tax Map I, Lot 22), located in the Rural Residential (R-40) Zoning District, requests a variance from **Section 170-33.A** of the Zoning Ordinance to permit a fence to exceed four (4) feet in height within 10 feet of the Durham Road right of way.

Dan Clark, regional property manager for Sun Jensen, LLC presented and explained the application. They would like to install a 7' fence with an additional 1' lattice top. Previously they had plantings, but they are dying. They have tried replacing them, but don't wish to do so again as they are expensive. They would like the extra height to protect the residents along the main road from sound.

George Reagan asked why the white pines need to be removed.

Those trees were planted almost 50 years ago and they are overgrowing and falling into resident's yards. The limbs are also growing out to the roadway. They would need to be pruned every few years. It would also not look great to have partial fence and then some overgrown trees.

Rich Onufry wondered where the fence is going in relation to the trees.

The trees and roots will be removed, loam will be added and the fence will go up.

Chair Prior confirmed with the applicant that there won't be any sight line issues for drivers due to the fence.

Public hearing opened.

The Chair read the following:

GIVEN THE SOCIAL DISTANCING PRACTICES NEEDED TO SLOW AND CONQUER THE SPREAD OF THE COVID-19 CORONAVIRUS BEING RECOMMENDED BY OUR FEDERAL AND STATE HEALTH OFFICIALS, AND IN ACCORDANCE WITH THE DIRECTIVES ISSUED BY THE GOVERNOR OF OUR STATE TO LIMIT PUBLIC GATHERINGS, THE PUBLIC IS ENCOURAGED TO TEMPORARILY ACCESS PUBLIC MEETINGS OF THE CITY OF DOVER REMOTELY, INCLUDING WATCHING CABLE TELEVISION CHANNEL 22 AND ONLINE STREAMING ACCESSIBLE THROUGH THE CITY WEBSITE. WE HAVE ENSURED THAT DOVER CITIZENS CAN STAY INFORMED WHILE REMAINING IN THE COMFORT OF THEIR OWN HOMES BY OBSERVING MEETINGS REMOTELY. CITIZENS CAN ALSO REMAIN ENGAGED—WE ENCOURAGE COMMENTS ON SCHEDULED PUBLIC HEARINGS TO BE SUBMITTED EITHER IN



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WRITING BY EMAIL: DOVER.PLANNING@DOVER.NH.GOV OR ZONINGBOARD-ALL@DOVER.NH.GOV OR POSTAL MAIL: Planning Department, 288 CENTRAL AVENUE, DOVER, NH 03820. CITIZENS MAY ALSO SUBMIT COMMENTS FOR ANY SCHEDULED PUBLIC HEARING OR CITIZEN'S FORUM BY LEAVING A VOICE MESSAGE AT: 516-MEET (6338). ALL MESSAGES THAT ARE RECEIVED FROM CITIZENS BY THESE MEANS ARE PROMPTLY FORWARDED TO ALL MEMBERS OF THE ZONING BOARD AND WILL BE PUBLICLY ACKNOWLEDGED AS BEING RECEIVED AND WILL BE MAINTAINED WITH THE MEETING MINUTES.

No public spoke.

STAFF RECOMMENDATION:

Elena Piekut stated no comments were received to the office regarding this application. The public hearing will remain open until the completion of the meeting on Tuesday, April 21st.

Knowing that screening is required for these parks, the Planning department supports granting the variance with a condition for a Licensed Landscape Architect to be consulted and provide a recommendation for landscaping that would work long-term or confirm that no landscaping will work. This park was created in the 1970s, but current regulations would require plantings for screening or plantings in front of fencing. That's where the department recommendations are coming from. The request would not have a negative impact on values- it would probably increase values for homes in the park. This meeting will be continued and the vote will not occur until Tuesday, April 21st.

Elena Piekut also noted the right of way for Durham road is quite wide (70'). Because of this, there will be no sightline issues since the fence would be another 10' back from the easement.

The Chair read the following:

New testimony can be provided on April 21st during the resumed public hearing. Abutters are able to call 603.516.6338 (516-MEET) and leave a voice mail, or email staff at Dover-Planning@dover.nh.gov and their comments will be summarized into the record.

Motion: Rich Onufry moved to continue the hearing to April 21st. George Reagan seconded.

Roll Call vote: Rich Onufry - yes, George Reagan - yes, Nick Couturier - yes, Anthony Sillitta - yes, Chris Prior- yes

The public hearing was continued.

4. OTHER BUSINESS

NONE.

5. ADJOURN

Motion: Anthony Sillitta moved to adjourn at 7:37pm. Nick Couturier seconded.

Roll Call Vote: Rich Onufry - yes, George Reagan - yes, Nick Couturier - yes, Anthony Sillitta - yes, Chris Prior- yes



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting
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Meeting Date: Tuesday, April 21, 2020
Meeting Time: 7:00 pm

1. ATTENDANCE

The board members introduced themselves, stated their current locations and that they agree to the terms of the video conference call.

Members Present: Chris Prior (Chair), Rich Onufry (Alternate), George Reagan, Nick Couturier, Anthony Sillitta (Alternate), Otis Perry (Vice Chair)

Members Absent (Excused): James Burdin (Alternate)

Members Absent (Not Excused): Frank Landford

Staff Present: Elena Piekut (Assistant City Planner, Zoning Administrator)

The Chair called the meeting, which was continued from Thursday, April 16th, to order at 7:03 PM and noted if a vote occurs tonight, Rich Onufry will be a voting member

2. HEARINGS

- A. Z20-03 Applicant/Owner Sun Jensen, LLC, 6 ½ Deerfield Drive (Tax Map I, Lot 22), located in the Rural Residential (R-40) Zoning District, requests a variance from **Section 170-33.A** of the Zoning Ordinance to permit a fence to exceed four (4) feet in height within 10 feet of the Durham Road right of way.

The Chair read the following into the record:

GIVEN THE SOCIAL DISTANCING PRACTICES NEEDED TO SLOW AND CONQUER THE SPREAD OF THE COVID-19 CORONAVIRUS BEING RECOMMENDED BY OUR FEDERAL AND STATE HEALTH OFFICIALS, AND IN ACCORDANCE WITH THE DIRECTIVES ISSUED BY THE GOVERNOR OF OUR STATE TO LIMIT PUBLIC GATHERINGS, THE PUBLIC IS ENCOURAGED TO TEMPORARILY ACCESS PUBLIC MEETINGS OF THE CITY OF DOVER REMOTELY, INCLUDING WATCHING CABLE TELEVISION CHANNEL 22 AND ONLINE STREAMING ACCESSIBLE THROUGH THE CITY WEBSITE. WE HAVE ENSURED THAT DOVER CITIZENS CAN STAY INFORMED WHILE REMAINING IN THE COMFORT OF THEIR OWN HOMES BY OBSERVING MEETINGS REMOTELY. CITIZENS CAN ALSO REMAIN ENGAGED—WE ENCOURAGE COMMENTS ON SCHEDULED PUBLIC HEARINGS TO BE SUBMITTED EITHER IN WRITING BY EMAIL: DOVER.PLANNING@DOVER.NH.GOV OR ZONINGBOARD-ALL@DOVER.NH.GOV OR POSTAL MAIL: Planning Department, 288 CENTRAL AVENUE, DOVER, NH 03820. CITIZENS MAY ALSO SUBMIT COMMENTS FOR ANY SCHEDULED PUBLIC HEARING OR CITIZEN'S FORUM BY LEAVING A VOICE MESSAGE AT: 516-MEET (6338). ALL MESSAGES THAT ARE RECEIVED FROM CITIZENS BY THESE MEANS ARE PROMPTLY FORWARDED TO ALL MEMBERS OF THE ZONING BOARD AND WILL BE PUBLICLY ACKNOWLEDGED AS BEING RECEIVED AND WILL BE MAINTAINED WITH THE MEETING MINUTES.

Public hearing was reopened.

No public was present to make any comments in person.

Elena Piekut stated no comments were received to the office regarding this case.



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STAFF RECOMMENDATION:

Elena Piekut stated the Planning Department recommends granting the variance with the following proposed condition:

The applicant shall consult a licensed landscape architect and follow their recommendations for providing long term landscaping to complement the Durham Rd side of the fence.

She explained the reasoning for the condition is that if the manufactured housing park was being built today, a fence would be acceptable screening with suitable plantings. This park was created in the 1970s and there were no landscape requirements at that time.

Dan Clark, regional property manager for Sun Jensen, LLC was present to answer questions.

Board comments and questions:

Rich Onufry commented there are still a significant amount of white pines remaining. The application makes it seem as though they were all cut down and replaced by arborvitae.

Mr. Clark commented that there are about 350 trees remaining. He also inquired about what type of landscape is being requested by the Planning Department. The applicant would like to install erosion control- about 4" of rye grasses.

The applicant has wasted thousands of dollars on arborvitae that won't grow in that area.

The Chair asked Elena Piekut what type of landscape is being requested under the condition.

She said there is no specific vegetation requested, but the Planning Department would like confirmation from A landscape architect that nothing will grow there. And if something can survive, to add that vegetation to break up the fence line.

Mr. Clark commented they won't have any water spickets to hook up to for watering the vegetation, which is why they are considering rye grasses.

George Reagan would not want them to plant something not sustainable, but having some vegetation would be much better.

Otis Perry noted the fence will be on top of the berm so it will be about 12' high which he believes is not necessary. He agrees that probably not much vegetation will grow there, but he is not in favor of having a long white 12' high fence on that whole stretch of roadway in that neighborhood.

Elena Piekut clarified the reason for the variance request is for the variance to exceed 4' within 10' of the right of way in certain locations.

Rich Onufry pointed out a conservation issue relating to the removal of the trees even though they are not flourishing. The roots must extend quite far. How much damage will be done removing them and will the berm remain intact afterwards?

Mr. Clark stated based on the work they have done in the past, the top foot of berm was disrupted, but adding loam on top took care of that stability.



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The public hearing was closed.

Otis Perry commented that he is concerned about having a white plastic fence along that route. He wondered if a more natural fence would look better. There is currently a 5' berm there which is acting as a fence. Adding the 7' fence on top of that will be a 12' fence height along the inside and outside of that fence/ berm area. He can't think of another fence in Dover that of that height except along the highway. He is not in favor of granting the variance. A 4' fence on top of the berm is permissible without a variance.

Chair Prior confirmed with Elena Piekut that the applicant is allowed to cut down the trees and put up a 7' fence anywhere along their property line as long as it's more than 10' from the right of way.

Rich Onufry wondered how the Planning Department would regulate the condition.
The consultation documents would need to be submitted to the Planning Department.

Chair Prior wondered how much of the fence line will be within 10' of the right of way. About 60%.

Otis Perry noted that if a motion in favor is not made, he would pose a motion to deny the variance. He believes the applicant has not satisfied the requirement for substantial justice. The benefit to the applicant outweighs the benefit to the public due to the height and appearance of the fence. The 4' fence allowed should satisfy the applicant for barrier since it's on top of the berm. He is unsure they have met the hardship requirement either.

Motion: Nick Couturier moved to approve the variance with the condition recommended by staff. George Reagan seconded.

Discussion:

Rich Onufry noted it would be nice to see what the architect comes up with because the parameters of the condition are very vague.

Chair Prior is concerned that there is not a specific outline of which parts of the fence are within the right of way. He also commented that he doesn't believe substantial justice has been proved.

Otis Perry noted that although he was not present at the meeting Thursday, he did watch it in its entirety.

Roll Call vote: Rich Onufry - no, George Reagan - yes, Nick Couturier - yes, Otis Perry- no, Chris Prior- no

With the vote 3-2 opposed, the variance was denied.

3. OTHER BUSINESS

NONE.

4. ADJOURN

Motion: Otis Perry moved to adjourn at 7:44pm. George Reagan seconded.

Roll Call Vote: Rich Onufry - yes, George Reagan - yes, Nick Couturier - yes, Otis Perry, yes, Chris Prior- yes



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT – STAFF MEMO

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall – 288 Central Ave. Dover, NH 03820
Meeting Date: Thursday, May 21, 2020
Meeting Time: 7:00 pm

INTENT: The Applicant requests a variance to permit a two-family dwelling.

UNITS PROPOSED: Two total, one new (existing single-family dwelling to be demolished)

AGENDA ITEM #: 3-A

ZONING DISTRICT: R-40

FILE: Z19-18

APPLICANT/OWNER: R. Craig Williams

LOCATION: 105 Middle Road (Tax Map K, Lot 6)

ACREAGE: 64.13 ac

EXISTING LAND USE:
Single-family dwelling

PROPOSED LAND USE:
Two-family dwelling

SURROUNDING LAND USE: Single-family dwellings, nursing home

PREVIOUS ZBA ACTION:
None

PLANNING BOARD APPROVAL REQUIRED: No

ATTACHMENTS: Application, plan

STAFF RECOMMENDATION:
Staff recommends granting the variance.

BACKGROUND INFORMATION

The property subject to this variance request is an approximately 64-acre parcel located on both sides of Middle Road, with additional frontage on Back Road and Thornwood Lane. It is located in the Rural Residential (R-40) Zoning District. The house in question is located on the northeast side of Middle Road, close to the road. It is an 18th-century single-family home which has been unoccupied for some time and has sustained significant winter water damage.

The Applicant requests a variance to construct a two-family dwelling after demolishing the existing single-family dwelling.

REASON FOR RECOMMENDATION

In the R-40 Zoning District, two-family dwellings are permitted only through the conversion of a single-family dwelling that existed prior to May 27, 1964 and provided there is enough land area and living area (see R-40 table, note 6). An additional, seldom-used provision also allows new two-family dwellings in mixed-use, open space subdivisions.

Additionally, per state statute, in every Zoning District where a single-family dwelling is permitted, the City is required to allow construction of an Accessory Dwelling Unit, meaning that all single-family dwellings can effectively contain two units. A two-family dwelling, however, may not also have an Accessory Dwelling Unit, and so the property owner relinquishes that right should the variance be granted.

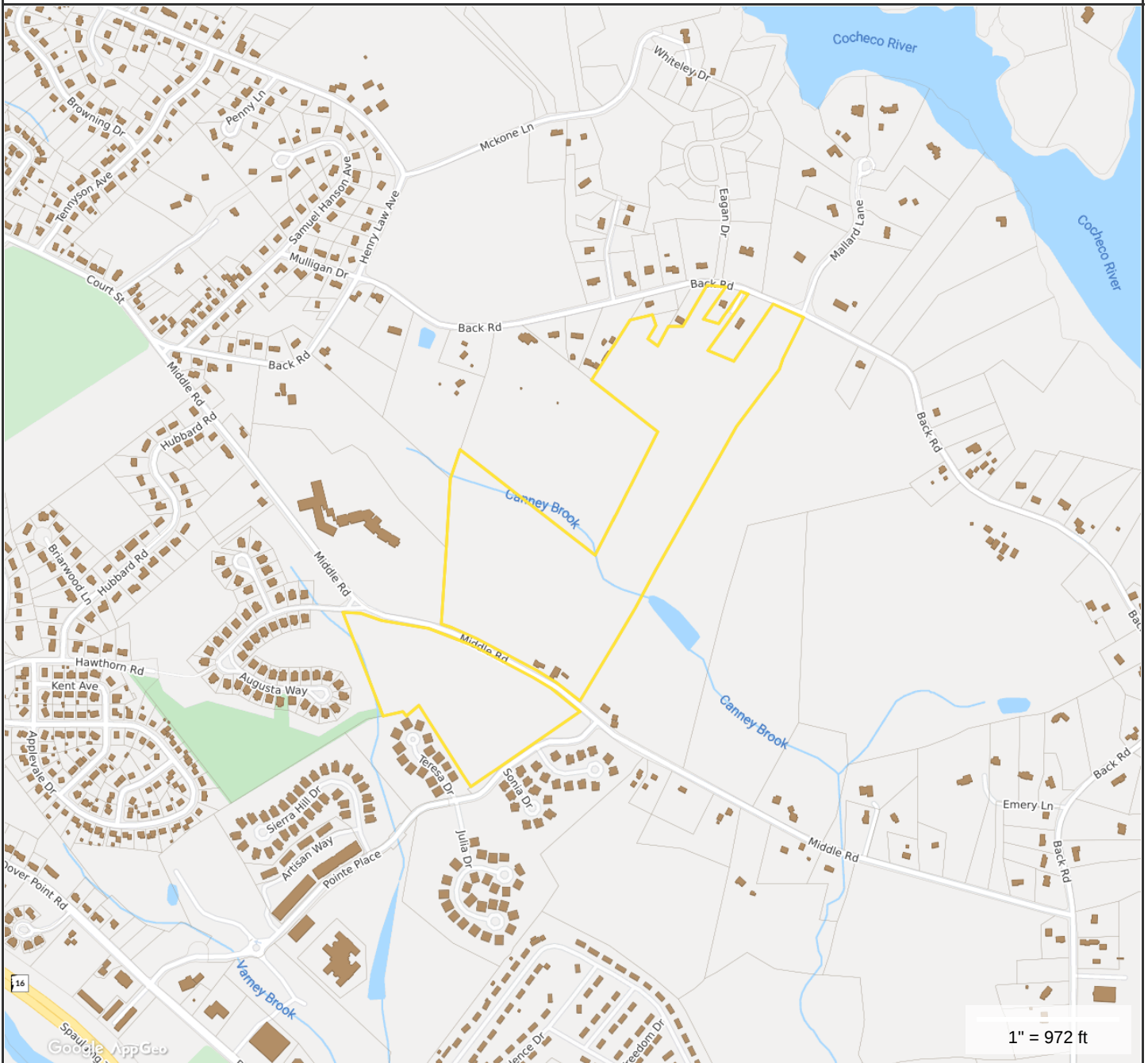
Because the existing home dates to the 18th century, it qualifies for conversion to a two-unit building. However, it has been vacant for some time and in the process of being vacated, it suffered substantial damage. The house has already been gutted in anticipation of demolition, and the exterior does not retain the original character of an 18th century dwelling. The existing building is nonconforming to the 40' front setback required in the R-40 District.

Consistent with the public interest and the purposes of the Zoning Ordinance, a new structure would conform with current setbacks and be required to meet the current building codes. Granting the variance is unlikely to have a negative effect on surrounding property values given that the existing condition is so poor. The property is unique in its extreme age. This renders it both suitable for conversion to a two-family dwelling due to being built before 1964, but unsuitable due to its age and condition. The structure predates zoning in Dover by nearly 200 years.

STAFF RECOMMENDATION

Staff recommends that the Board open the public hearing, accept testimony, and make findings on each of the variance criteria. Staff supports granting the variance request with the following condition:

- 1) The new principal structure shall be located in the same general vicinity as the existing single-family dwelling. This condition shall not be construed as granting relief from the front setback requirement.

**Property Information**

Property ID K0006-000000
Location 105 MIDDLE RD
Owner CANNEY BROOK ENGINEERING AND CONSULTING
Land Use 101

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Dover, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 10/18/2019
Data updated Daily



City of Dover, New Hampshire
ZONING BOARD OF ADJUSTMENT APPLICATION

[Revised April 7, 2017]

RECEIVED
Planning Office

Office Use Only Case #:

219-18

Date Received:

OCT 23 2019

Amount Paid: \$

Time Received:

Dover, New Hampshire

APPLICANT/PROPERTY OWNER INFORMATION

APPLICANT: R CRAIG WILLIAMS Phone # 603-742-7200

Address of Applicant: 154 MIDDLE ROAD DOVER NH 03820

E-Mail Address: canneybrook@comcast.net

PROPERTY OWNER (if different from applicant): SAME

Address: _____ Phone # _____

E-Mail Address: _____

PROPERTY/PARCEL INFORMATION

Address: MIDDLE ROAD

Brief Directions: 150 YARDS NORTH OF THORPWOOD LANE

Zoning District: R-40 Assessor's Map # _____ Lot(s) # K 0006-00000

TYPE OF APPEAL: (Please check one)

☒ Variance

from Section _____ of the Zoning Ordinance

☐ Physical Disability Variance (RSA 674:33-V)

from Section _____ of the Zoning Ordinance

☐ Special Exception

per Section _____ of the Zoning Ordinance

☐ Appeal of Administrative Decision

regarding Section _____ of the Zoning Ordinance

☐ Equitable Waiver

per Section _____ of the Zoning Ordinance

DESCRIBE BRIEFLY YOUR PLANS FOR THE PROPERTY:

ATTACHED

NOTE: The Rural Residential (R-40) District (See Footnote 6) allows conversion of single-family dwellings into 2-unit dwellings when the dwelling was constructed prior to May 27, 1964, the lot exceeds 4000 sq./ft. per and the dwelling exceeds 500 sq. ft per proposed unit. The dwelling is on a lot greater than 40,000 sq./ft. and the dwelling is approximately 2600 sq./ft. with 1704 sq./ft. 1st floor, 600 sq./ft. 2nd floor, and 350 sq./ft. 3rd floor.

PLANS FOR PROPERTY

Plans for property are to convert a single-family R-40 dwelling into a duplex. It is expected that one side of the duplex will be occupied by family. This dwelling is on property adjacent to my home. My property encompasses approximately 90 acres in adjoining parcels on the east side of Middle Road.

Prior to commencing the conversion, the home suffered a catastrophic water and freeze event and is currently the interior has been removed for reconstruction. Following the removal of all interior finishes, the home was inspected and evaluated. The investigation determined the dwelling should be replaced.

As the home is located closer than the current required 40 foot road setback, the foundation is low headroom stone walls and dirt floor, and the structure does not and reconstructed will not meet International Residential Building Code requirements, the variance is requested to allow the dwelling to be completely replaced rather than reconstructed. The replaced dwellings will exceed all building setback requirements and exceed all building code requirements for new construction.

VARIANCE REQUIREMENTS

A. Variance Requested

A variance is requested from Sections 170-11 R-40 Use Regulations and 170-40 Uses of Land of the Zoning Ordinance to permit:

Demolition and new construction to replace the water and freeze damaged dwelling, with a front setback of more than 40-feet, compliant with the International Residential Building Codes, compliant with the New Hampshire Energy Code, and compliant with other applicable codes.

Reconstruction of the existing damaged dwelling can never meet dwelling setbacks, reasonable safety and health standards, or be compliant with the current residential building codes.

Vested Rights

B. The Five Variance Criteria (as set forth in NH RSA 674.33, I(b))
Please demonstrate compliance with the following:

- 1. Waiving the terms of the ordinance will not be contrary to the public interest because:**

The City of Dover has interpreted RSA 674:19 "Applicability of Zoning Ordinances. A zoning ordinance adopted under RSA:16 shall not apply to existing structures or to the

existing use of any building" to allow dwellings constructed prior to May 27, 1964 to be converted to 2 family dwellings.

The NH Court in *New London Land Use Assn v New London ZBA* 130 N.H. 510 (1998) found that allowing replacement with new technologies for the dwelling use without substantial impact on the neighborhood arises "naturally" (through evolution of new and better technologies). (see *Hurley v Town of Hollis*, 143 N.H. 567 (1999)).

Absence the variance, the dwelling will be reconstructed using deficient structural parts of the existing damaged dwelling. Refitting the existing dwelling will require the dwelling to remain closer to the road than permitted by new construction. New reconstruction will have reduced radon and moisture entry and promote increased health and safety. The structures will conform to current snow and wind loading structural standards. The new construction will exceed all energy standards. While a reconstructed dwelling would meet existing building standards, the new construction would exceed the current International Residential Code Standard. The City has determined the dwelling to be unsound.

Both the City and owner are desirous for the new/reconstructed dwellings to exceed setback requirements and the International Residential Building Code. Replacement is in the public interest in that the replacement will have more tax value, be environmentally healthier and safer for occupants, will have increased fire safety, will exceed current energy codes, and will require less energy, and will be more attractive to the neighborhood.

2. Deviation from the strict requirements of the ordinance is consistent with the spirit of the Ordinance because:

The Ordinance was adopted to promote the public welfare. Granting the variance will result in the dwelling being healthier and safer for the occupants, the dwelling will be more attractive for the city, neighbors and occupants, and dwellings will be more energy efficient. No homes are in direct view or within 400 feet of the dwelling. The petitioner home is the closest. The variance will positively impact the neighborhood.

This dwelling suffered a catastrophic water and freezing event which has required complete removal of all interior walls and finishes leaving only the external frame and exterior sheathing. As part of the remediation, damaged asbestos (Transite) siding and interior asbestos containing floor finishes were abated. The structure fails to approach current building codes requirements. Approval will result in the use of new technology, modern construction techniques, all new materials, and meeting new construction residential building codes.

As a result of the catastrophic water and freeze damage, the dwelling finishes and interior was removed to expose the extent of damage and deterioration which resulted in the determination that only complete replacement would result in a the dwelling environment being made healthy, safe, code compliant, and energy efficient. The proposed dwelling may be reconstructed without this variance, but the resultant dwelling would be inferior. Strict enforcement, absent the variance could require the reduced highway setback be maintained, continued use of the deficient foundation, high moisture levels in the home, reduced insulation in walls and ceilings, increased radon entry into the home, and the use of a substandard/non-code compliant dwelling frame.

3. Granting the variance would do substantial justice because:

Absent the variance the dwelling would will be reconstructed resulting in a poor structure with an unsafe and unhealthy interior environment. The finished dwelling would be less attractive than the replacement, current new residential constructions and energy codes would not be met, and the dwelling would remain closer to the highway. Granting the variance will allow the new construction to utilize modern construction methods and materials. Radon will be mitigated, moisture entry greatly reduced, moisture entry reduced, mold and mildew issues eliminated, the structure to be stronger, roofs, walls, stairs and other areas to be constructed to current codes. The lives of occupants will be improved.

4. The value of surrounding property will not be diminished because:

This is a very large parcel. The area to the west is 27 acres of undeveloped land. This lot is part of the approximate 90 acres owned by the practitioner, undeveloped land to the north is more than 1000 feet, large fields and forest are to the east, and the petitioners properties extend more than 1000 feet to the south. The Thornwood Lane development to the south and located on the west side of Middle Road is more than 400 feet from the dwelling and shielded by buffer trees.

The new construction will have a general look like the new dwellings in the Thornwood Lane development. The new dwelling will be consistent with the modern construction of area homes. The Thornwood development contains single family and multifamily units. The density of the dwelling remains unchanged and is less dense than the area's new construction.

NOTE: please complete Either paragraph 5A OR paragraph 5B. Staff recommends that you complete paragraph 5B only if you feel you cannot meet the requirements set forth in paragraph 5A.

5. A. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:

- (i) The following special conditions of the property distinguish it from other properties in the area:

This pre-1767 dwelling was constructed prior to the May 27, 1964 zoning ordinance. R-40 Rural Residential Footnote 6 allows the current dwelling to be converted into 2, 3, or 4 units of 500sq/ft or more with 4000 sq./ft. per dwelling unit. Using the existing setback, dirt and fieldstone foundation, and the failed frame, the dwelling may be converted. The dwelling suffered a catastrophic water release and freeze event which caused catastrophic damage to the home. Absent this damage, the dwelling would have been converted without the complete replacement.

and

- (ii) No fair and substantial relationship exists between the general purposes of the ordinance provision and the specific application of that provision to the property because:

The ordinance may be interpreted in such away as to disallow the replacement of the existing catastrophically water/freeze damaged structure with a new structure employing modern technologies, methods, and materials. Strict interpretation would result in a significantly less healthy and safe dwelling.

- and**
(iii) The proposed use is a reasonable one because:

The existing dwelling may be converted into more than 1 dwelling unit. Granting the variance allows the dwelling conversion to create substantially healthier, safer, more resilient living areas. Granting the variance allows use of modern materials, methods, and technologies. Granting the variance allow the road setback to be increased. Granting the variance serves the public welfare, is in the public interest, and to the extent that an impact exists, increases area property values.

OR

If the criteria in subparagraph 5A above is not established, explain how, owing to special conditions of the property that distinguishes from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

As previously stated, the proposed conversion of the dwelling into a duplex is permitted by the zoning ordinance if the existing structure is utilized. Conversion of the existing dwelling as permitted was planned. A water release event caused extensive/catastrophic water and freeze damage rendering the home uninhabitable. Remediation including interior demolition revealed substantial structure damage which compromised the dwelling's reconstruction. Experts recommend demolition and replacement rather than reconstruction. The city has concurred.

This owner wishes to construct a duplex on the property. As a result of the water and freeze damage, it is unlikely that a lender will permit the structure's reuse with the deficient/damaged foundation and frame. Re-use of the existing foundation and frame cannot adequately control moisture and radon entry.

Strict adherence to the ordinance and reuse of the failed foundation and structure will result in a substandard dwelling. Use of modern construction materials, methods, and techniques is in the public interest and construction of the duplex which meets all residential building standards is desirable. Absent this variance, a duplex cannot be constructed which meets current health and safety standards.

EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS

THIS SECTION TO BE COMPLETED BY EQUITABLE WAIVER APPLICANTS ONLY

An Equitable Waiver of Dimensional Requirements is requested from Article _____ Section _____ of the Zoning ordinance to permit _____

1. Does the request involve a dimension requirement, not a use restriction? yes no

2. a) Explain how the violation has existed for 10 years or more with no enforcement action, including written notice, being commenced by the city **OR** b) explain how the nonconformity was discovered after the structure was substantially completed or after a vacant lot in violation had been transferred to a bona fide purchaser **AND** how the violation was not an outcome of ignorance of the law or bad faith but resulted from a legitimate mistake.

3. Explain how the nonconformity does not constitute a nuisance nor diminish the value or interfere with future uses of other property in the area.

4. Explain how the cost of correction far outweighs any public benefit to be gained.

NOTE: The Board must find in the affirmative on all four questions or the request must be denied

APPEAL OF ADMINISTRATIVE DECISION

THIS SECTION TO BE COMPLETED BY APPLICANTS APPEALING AN ADMINISTRATIVE DECISION ONLY

Explain why you feel that the Administrative Official made an error in applying or interpreting the zoning ordinance in a particular case.

Lined area for text entry.

SPECIAL EXCEPTION REQUIREMENTS

THIS SECTION TO BE COMPLETED BY SPECIAL EXCEPTION APPLICANTS ONLY

A. General Special Exception Requirements (as set forth in §170-52.C.3 of the Zoning Ordinance)

1. Explain how the requested use would be essential or desirable to the public convenience or welfare.

2. Detail how the requested use would not create undue traffic congestion or unduly impair pedestrian safety.

3. Describe how the requested use would not overload any public water, drainage or sewerage system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the City will be unduly subjected to hazards affecting health, safety or the general welfare.

B. Specific Special Exception Requirements (as may be set forth in the applicable Table of Use)

Explain how the proposal meets the specific special exception requirements as may be set forth in the Table of Use for the zoning district in which the subject property is located:

- A. _____
- B. _____
- C. _____
- D. _____
- E. _____
- F. _____

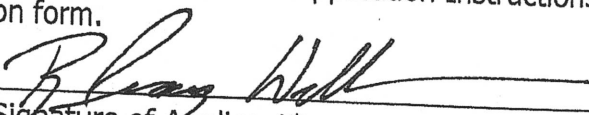
SIGNATURE PAGE

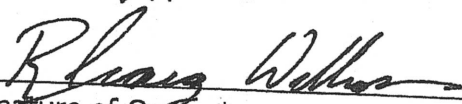
THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS

I, the undersigned Applicant, hereby certify that the information contained within this Application is complete and accurate, and I acknowledge that I have read and understand the Application Instructions, which are set forth on the first two pages of this Application form.

IMPORTANT

PROPERTY IDENTIFICATION SIGN
MUST BE POSTED ON THE PROPERTY
FOR THE 5 DAYS PRIOR TO HEARING.
FAILURE TO POST MAY RESULT IN
APPLICATION NOT BEING ACCEPTED.


Signature of Applicant*

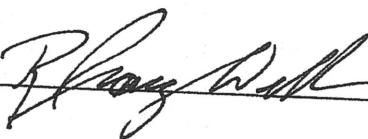

Signature of Owner*

*Both Signatures Required

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Zoning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner:

 Date: 10-22, 2019

Rural Residential (R-40) District

Amended: 11-28-12 by Ord. No. 2012-11.14-24



Permitted Uses

- ACCESSORY DWELLING UNIT
- ADULT DAY CARE [5]
- ASSEMBLY HALL
- Bank [5]
- Beauty and Barber Shop [5]
- BED and BREAKFAST
- CHILD CARE FACILITY
- CHILD CARE HOME
- Clinic
- CONSERVATION LOT
- Conversion of Existing Dwelling to Accommodate not more than 2 units [6]
- COUNTRY CLUB [7]
- Dwelling, 2 Family [8]
- Dwelling, 3 To 4 family [8]
- DWELLING, SINGLE FAMILY
- EDUCATIONAL INSTITUTION, K-12
- EXCAVATION [7]
- FARM [9]
- FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on lots containing a one or two family dwelling [10]
- Hospital
- MANUFACTURED HOUSING
- OFFICE [5] [11]
- PERSONAL SERVICE ESTABLISHMENT [5]
- PUBLIC RECREATION
- Public Utility
- Recreational Camp
- Retail Sale of Agricultural or Farm Products Raised on Site
- Theater [5]
- Veterinary Office, Animal Hospital or KENNEL [12]
- WHOLESALING of Farm Products [7]

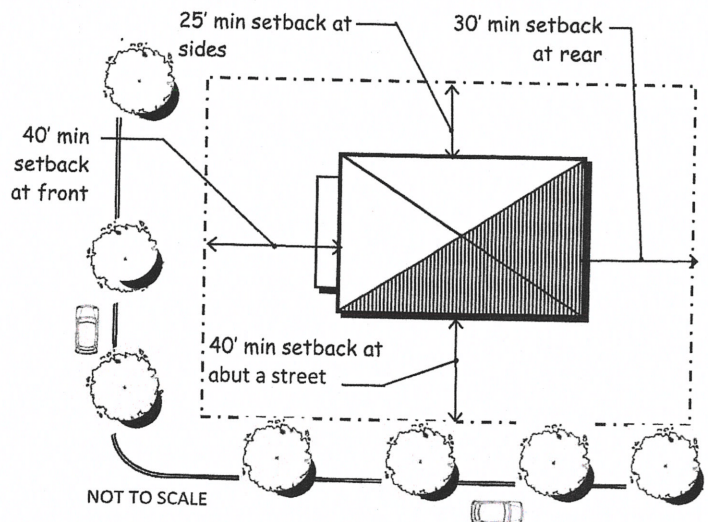
Uses Permitted by Special Exception

- ASSISTED LIVING FACILITY
- CONGREGATE CARE FACILITY
- CONTINUING CARE COMMUNITY FACILITY
- EDUCATIONAL INSTITUTION, POST SECONDARY
- ELDERLY ASSISTED CARE HOME
- Helicopter Take Offs & Landings
- JUNKYARD
- MANUFACTURED HOUSING Park
- NURSING HOME

Dimensional Regulations [1] [2]

LOT	
Minimum LOT Size [3] [4]	40,000 sf
Maximum LOT COVERAGE	10%
Minimum FRONTAGE	150 ft
PRINCIPAL BUILDING	
Front SETBACK	40 ft
Abut a Street SETBACK	40 ft
Side SETBACK	25 ft
Rear SETBACK	30 ft
OUTBUILDING/ACCESSORY USE	
Front SETBACK	40 ft
Abut a Street SETBACK	40 ft
Side SETBACK	10 ft
Rear SETBACK	10 ft
HEIGHT OF BUILDING	
PRINCIPAL BUILDING	35 ft max
OUTBUILDING	35 ft max

Principal Building Placement

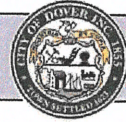


Sign Regulations

Size	R-40 District
Total signs permitted	1
Total area permitted	16 sf (customary home occupation sign 2 sf max, development identification SIGN 20 sf max)
Type	
FREESTANDING	permitted (10 ft setback required)
PROJECTING	permitted
WALL/ Awning	not permitted
Temporary	not permitted

Rural Residential (R-40) District

Amended: 11-28-12 by Ord. No. 2012-11.14-24



Footnotes

- [1] In the case of an Open Space Subdivision, in accordance with Article IV of Chapter 155 of the Code of Dover, the dimensional requirements shall be as specified in 155-22 of the Code of the City of Dover, 1983. [Added 6-10-87 by Ord. No. 13-87]
- [2] Refer to 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [3] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [4] Refer to Chapter 155, Subdivision of Land, Article IV for the minimum lot size for a major Subdivision. In an R-40 district, any major subdivision must follow the procedures for an Open Space Subdivision (OSS). [Amended 1-22-2003 by Ord. No. 35]
- [5] Use is allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7). [Added 1-22-2003 by Ord. No. 35]
- [6] Any dwelling unit existing on or before May 27, 1964, may be converted, provided that the lot shall contain at least four thousand (4,000) square feet per dwelling unit and a minimum floor area of five hundred (500) square feet per dwelling unit.
- [7] Use is not allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7). [Added 1-22-2003 by Ord. No. 35]
- [8] Use is allowed when included within an Open Space Subdivision with commercial components. (See 155.22 section 7). [Added 1-22-2003 by Ord. No. 35]
- [9] FARM ANIMALS permitted, provided that the tract upon which such animals are kept shall support a minimum land area of one hundred thousand (100,000) square feet. In no instance shall the shelters used to contain said animals be closer than one hundred (100) feet from any property boundary.
- [10] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met: Chickens: No more than six (6) chickens and no roosters, with three (3) square feet of chicken coop and twenty (20) square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be twenty (20) feet from any property line. Sheep or goats: one animal per 10,000 square feet of lot area, with a maximum of six (6) animals; ten (10) square feet of shelter and thirty (30) square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be thirty (30) feet from any property line. [Amended 12-08-10 by Ord. No. 2010-10.27-13]
- [11] Permitted only if operated as a customary home occupation (Refer to definition in 170-6B)
- [12] Veterinary Office, Animal Hospital uses are allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7) . [Added 1-22-2003 by Ord. No. 35]. Shelters and runs used to house and/or contain animals shall be no closer than one hundred (100) feet from any property line and must support a minimum tract size of one hundred thousand (100,000) square feet. [Amended 8-1-90 by Ord. 8-90]

provisions stated below:

- A. In the R-40 District in areas not serviced by City water and sewer utilities at a density of one unit per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities at a density of one unit per 7,500 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

CONTINUING CARE COMMUNITY FACILITY:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 7,500 square feet of lot area in the R-40 District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

ELDERLY ASSISTED CARE HOME [Added 09-15-93 by Ord. No. 19-93]: ELDERLY ASSISTED CARE HOME is allowed by Special Exception in accordance with the densities and provisions stated below:

- A. ELDERLY ASSISTED CARE HOMES larger than 6 bedrooms shall meet the following density requirements: In the R-40 District in areas not serviced by City water and sewer utilities at a density of one bedroom per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities at a density of one bedroom per 7,500 sq. ft.
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]

Helicopter Take offs and Landings: Helicopter take offs and landings are allowed as a special exception subject to the following conditions:

- A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
- B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
- C. The facility shall be accessory to the principal use located on the lot.
- D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- E. The conditions for granting a Special Exception, contained in Chapter 170-52-C(3), must also be satisfied

JUNKYARD: A JUNKYARD may only be permitted upon the determination that the property values of land adjacent to such use will not be compromised. Conditions may include but not be limited to the provision of adequate and properly maintained screening around land so used.

MANUFACTURED HOUSING Parks: MANUFACTURED HOUSING parks shall be subject to the following regulations:

- A. The proposed park must conform to the Manufactured Home Chapter of the Code (Ch. 126, Manufactured Home Parks)
- B. All plans for the proposed park must have been granted preliminary approval from the Dover Planning Board.
- C. A determination by the Zoning Board of Adjustment that the proposed MANUFACTURED HOUSING will not adversely affect overall land values in the neighborhood.
- D. A determination by the Zoning Board of Adjustment that the proposed MANUFACTURED HOUSING will not result in the creation of hazardous traffic conditions.

NURSING HOME [Added 09-15-93 by Ord. No. 19-93]: NURSING HOME is allowed as a Special Exception in accordance with the density and provisions stated below:

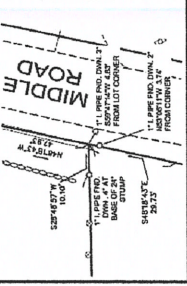
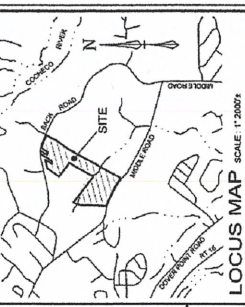
- A. In the R-40 District in areas not serviced by City water and sewer utilities at a density of one bedroom per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities at a density of one bedroom per 7,500 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

Special Exception Criteria

ASSISTED LIVING FACILITY:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 7,500 sf of lot area in the R-40 District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

CONGREGATE CARE FACILITY [Added 09-15-93 by Ord. No. 19-93]: CONGREGATE CARE FACILITY is allowed as a Special Exception in accordance with the density and

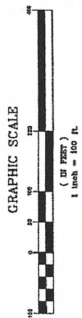
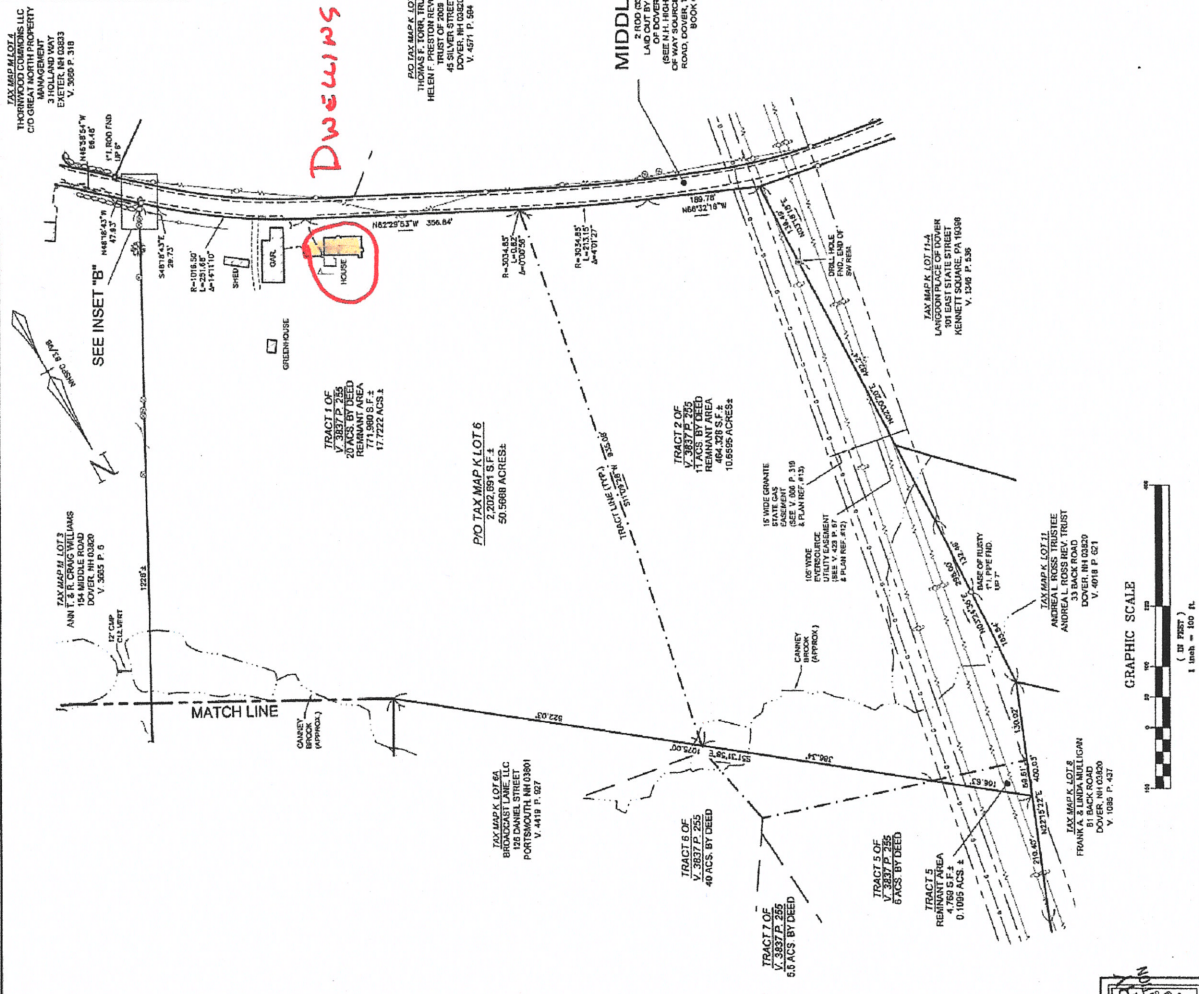


NO.	DATE	ADD TRACT REMAINING DIM'S & AREAS	SK	BY
1	9/4/19			

BOUNDARY SURVEY PLAN FOR
**R. CRAIG WILLIAMS &
 ANN T. WILLIAMS**
 TAX MAP K LOT 6
 130 MIDDLE ROAD & BACK ROAD
 DOVER, NEW HAMPSHIRE

SURVEY PLAN BY:
Joseph M. Wicher
 L.S., INC.
 602 AMHERST STREET
 DOVER, NH 03820
 TEL: (603) 847-4202 OR 735-8203
 FAX: (603) 823-1910
 WWW.JMWILLIS.COM

LAND SURVEYOR & SEPTIC SYSTEM DESIGNER
 SHEET S2 SHEET 2 OF 2 F.B. 519 P.2 JOB #2011148 2017



- PLAN REFERENCES:**
- 1. "SUBDIVISION PLAN FOR DOWNSIDE & DOVE CHERRY & JOAN ROULEAU, BACK ROAD, DOVER, NH," LAST REVISED 4/20/09, PREPARED BY TITTECH ENGINEERING COMPANY, 5020 PLAN 19-5.
 - 2. "TRUST OF WAY PLAN OF MIDDLE ROAD & WINTHROP ROAD FOR FREEDOM, INC., DOVER, NH," LAST REVISED 9/9/09, PREPARED BY FREEDOM SURVEY ASSOCIATES, 5020 PLAN 19-7.
 - 3. "REARWOOD AT DOVER, AN ALTERNATIVE DESIGN SUBDIVISION, TAX MAP K, LOT 49, BACK ROAD, DOVER, NH," LAST REVISED 4/20/09, PREPARED BY TITTECH ENGINEERING COMPANY, 5020 PLAN 19-5.
 - 4. "PLAN OF LAND FOR LANDOWN PLACE OF DOVER, MIDDLE ROAD, DOVER, NH," DATED 1998, PREPARED BY MARGARET BARRY ASSOCIATES, 5020 PLAN 19-5, 30.2.2.
 - 5. "PLAN OF LAND FOR LANDOWN PLACE OF DOVER, MIDDLE ROAD, DOVER, NH," DATED 1998, PREPARED BY MARGARET BARRY ASSOCIATES, 5020 PLAN 19-5, 30.2.2.
 - 6. "BOUNDARY LINE ADJUSTMENT FOR CHANDLER PLACES, LLC & PRESTON FAMILY, DOVER, NH," LAST REVISED 4/20/09, PREPARED BY TITTECH ENGINEERING COMPANY, 5020 PLAN 19-5.
 - 7. "CONDOMINIUM SITE PLAN FOR PRESTON PLACE CONDOMINIUM, TESSA DRIVE & THORNTON LANE, DOVER, NH," DATED 10/20/13, PREPARED BY TITTECH ENGINEERING COMPANY, 5020 PLAN 19-5.
 - 8. "BOUNDARY LINE ADJUSTMENT PLAN, ELLIOTT ROSE COMPANY OF DOVER, INC. & THORNTON HOLDINGS, LLC, DOVER POINT ROAD AND MIDDLE ROAD, DOVER, NH," DATED 1998, PREPARED BY TITTECH ENGINEERING COMPANY, 5020 PLAN 19-5.
 - 9. "CONSERVATION EASEMENT PLAN, ELLIOTT ROSE COMPANY OF DOVER, INC. & THORNTON HOLDINGS, LLC, DOVER POINT ROAD AND MIDDLE ROAD, DOVER, NH," DATED 1998, PREPARED BY TITTECH ENGINEERING COMPANY, 5020 PLAN 19-5.
 - 10. "PLAN OF LAND FOR CLIFFORD HOME AFFILIATES, WINDLE ROAD AND BACK ROAD, DOVER, NH," DATED 4/20/09, PREPARED BY CHANDLER ENGINEERS AND SURVEYORS, 5020 PLAN 19-5.
 - 11. "PLAN OF SUBDIVISION FOR CHRISTINE A. ELLIOTT BARRY, BACK ROAD, DOVER, NH," LAST REVISED 4/20/09, PREPARED BY K.E. MOORE & SONS, LAND SURVEYORS, 5020 PLAN 19-5.
 - 12. "NORTH-EAST UTILITIES TRANSMISSION LINE PLAN, MANHATTAN ST., COCHISE STREET, DOVER, NH," DATED 7/10/10, LAST REVISED 12/18/10, PREPARED BY NORTH-EAST UTILITIES, ON FILE AT CHANDLER.
 - 13. "10' WIDE GRANITE STATE TRAIL, 12.2 DATED 1856, PREPARED BY GEORGE C. BELMONT, ON FILE AT TITTECH.

SYMBOL LEGEND

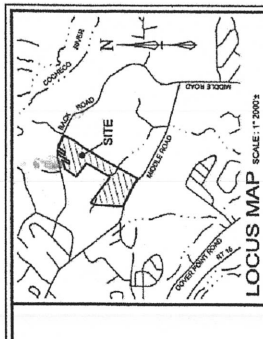
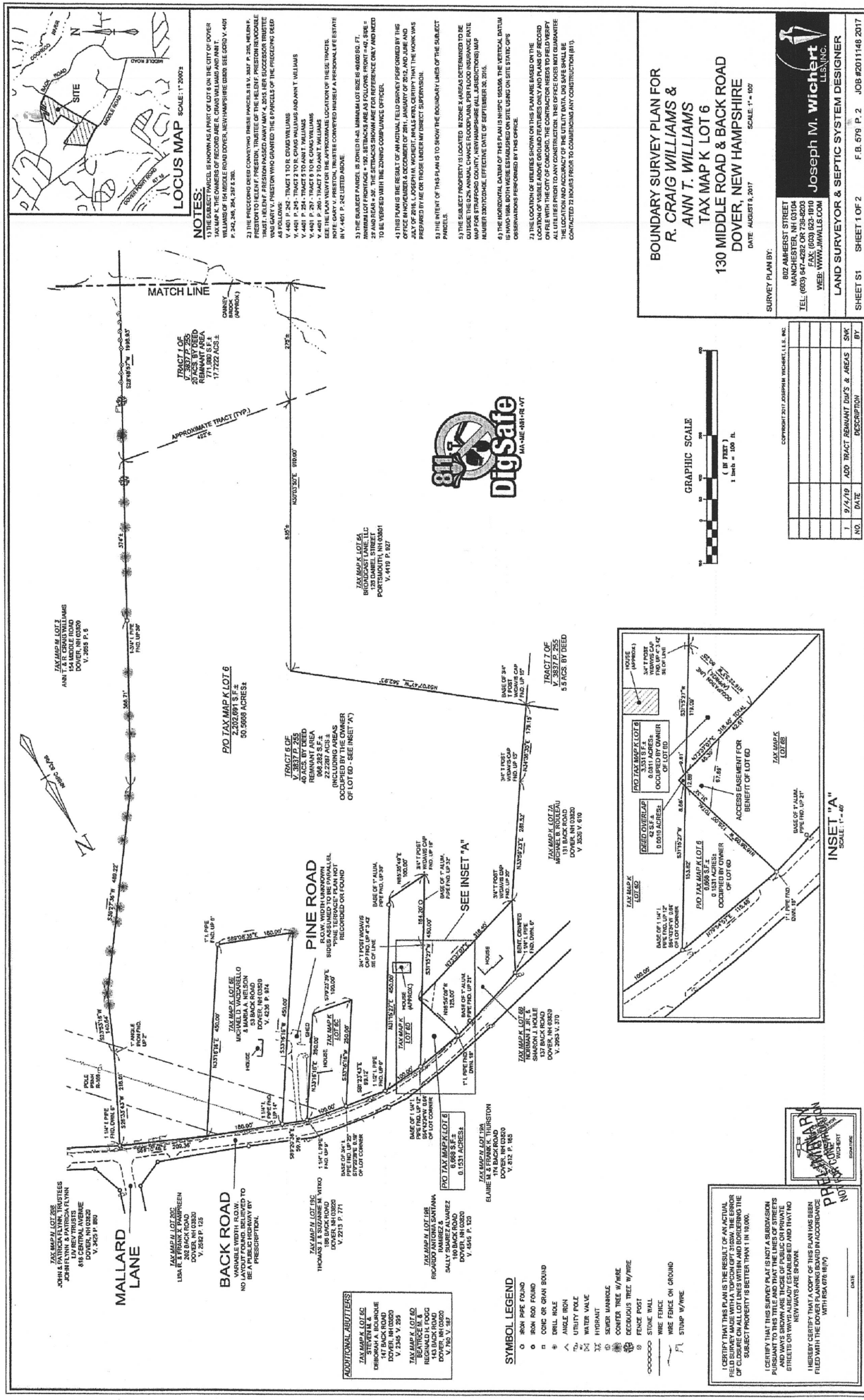
- IRON PIPE FOUND
- CONC OR FRAM BOUND
- DRILL HOLE
- ANGLE IRON
- UTILITY POLE
- WATER VALVE
- HYDRANT
- SEWER MANHOLE
- CONCRETE TREE W/WH
- DECIDUOUS TREE W/WH
- CEMENT POST
- STONE WALL
- WIRE FENCE ON GROUND
- WIRE FENCE
- SHED W/WH

I CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACCURATE SURVEY AND THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF NEW HAMPSHIRE. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY OF CLOSURE ON ALL LINES WITHIN AND BORDERING THE SUBJECT PROPERTY IS BETTER THAN 1 IN 10,000.

I CERTIFY THAT THE SURVEY PLAN IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND LOTS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR LOTS AS SHOWN ON THE RECORD MAPS AND THAT NO NEW LOTS ARE SHOWN.

I HEREBY CERTIFY THAT A COPY OF THIS PLAN HAS BEEN FILED WITH THE DOVER PLANNING BOARD IN ACCORDANCE WITH RSA 676:10(1).

DATE: 9/4/19



NOTES:

1. THE SUBJECT PARCEL IS SHOWN AS A PART OF LOT 14 ON THE CITY OF DOVER TAX MAP K. THE CHAIN OF RECORD ARE R. CRAIG WILLIAMS AND ANN T. WILLIAMS, 130 MIDDLE ROAD & BACK ROAD, DOVER, NEW HAMPSHIRE 03820. V. 205 P. 6.

2. THE SUBJECT PARCEL IS SHOWN AS A PART OF LOT 14 ON THE CITY OF DOVER TAX MAP K. THE CHAIN OF RECORD ARE R. CRAIG WILLIAMS AND ANN T. WILLIAMS, 130 MIDDLE ROAD & BACK ROAD, DOVER, NEW HAMPSHIRE 03820. V. 205 P. 6.

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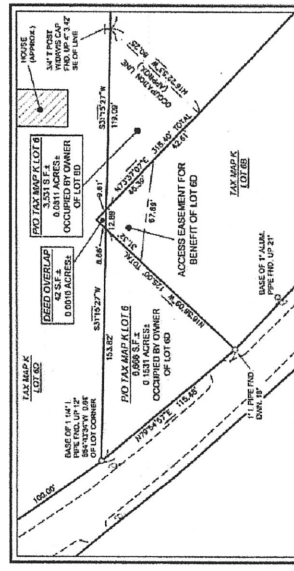
BOUNDARY SURVEY PLAN FOR
R. CRAIG WILLIAMS &
ANN T. WILLIAMS
TAX MAP K LOT 6
130 MIDDLE ROAD & BACK ROAD
DOVER, NEW HAMPSHIRE
DATE: AUGUST 9, 2017
SCALE: 1" = 100'

SURVEY PLAN BY:
Joseph M. Wicherth
LAND SURVEYOR & SEPTIC SYSTEM DESIGNER
802 ALBANY STREET
MANCHESTER, NH 03104
TEL: (603) 447-4292 OR 730-8200
WWW.JMWILLS.COM

SHEET S1 **SHEET 1 OF 2** **P. 2** **JOB #2011148 2017**



NO.	DATE	ADD TRACT REMAINING DWS & AREAS	SK	BY
1	9/4/19	ADD TRACT REMAINING DWS & AREAS		



- SYMBOL LEGEND**
- IRON PIPE FOUND
 - IRON ROD FOUND
 - CONC OR GRAN BOUND
 - DRILL HOLE
 - △ ANGLE IRON
 - △ UTILITY POLE
 - △ WATER VALVE
 - △ HYDRANT
 - △ CENTER TREE W/ WIRE
 - △ DECADUOUS TREE W/ WIRE
 - FENCE POST
 - STONE WALL
 - WIRE FENCE
 - WIRE FENCE ON GROUND
 - STUMP W/ WIRE

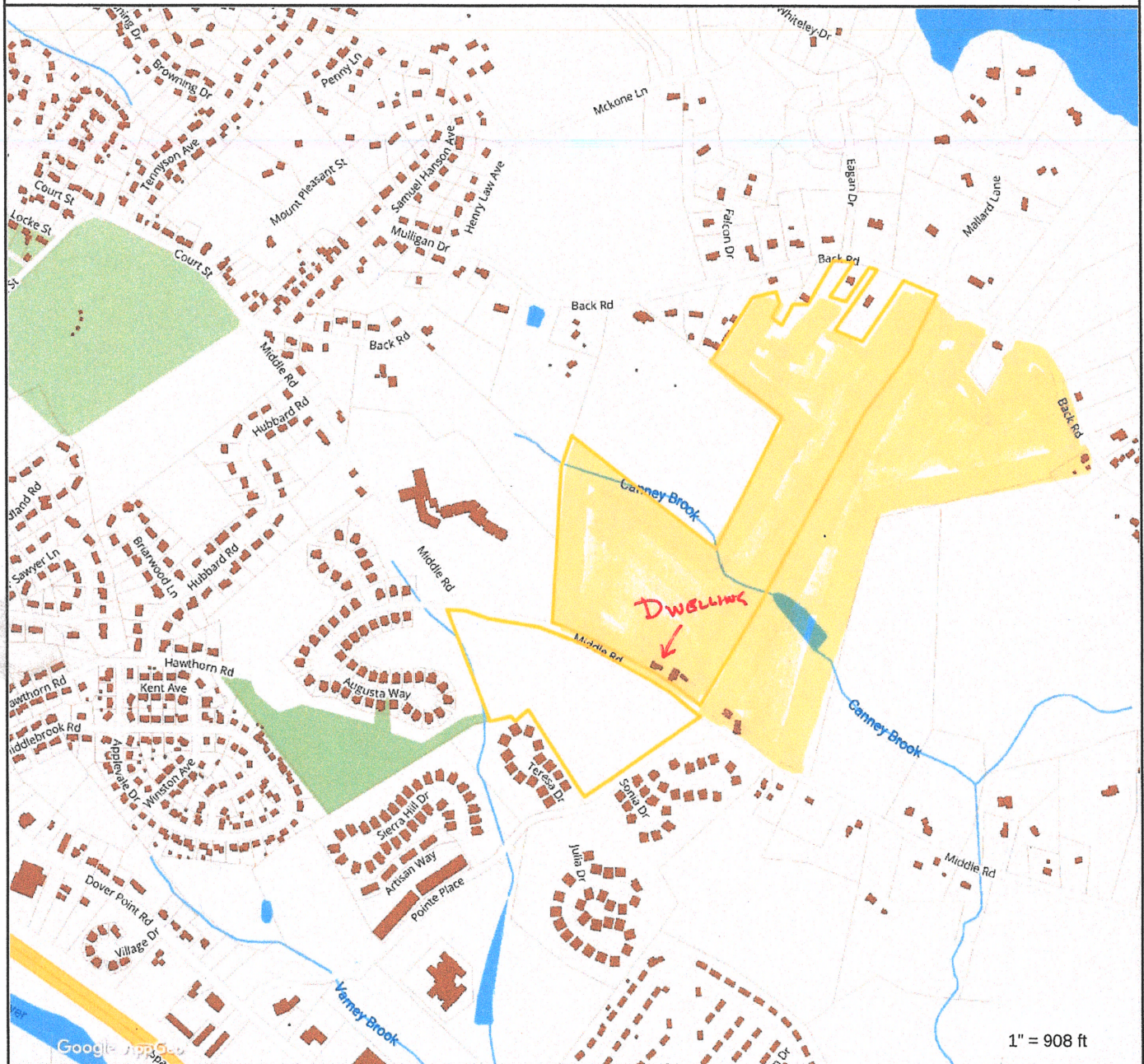
I CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL SURVEY OF THE PROPERTY DESCRIBED HEREIN, AND THAT THE CLOSURE OF ALL LOT LINES WITHIN AND BORDERING THE SUBJECT PROPERTY IS BETTER THAN 1 IN 1000.

I CERTIFY THAT THIS SURVEY WAS MADE BY A SURVEYOR AND WAS IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND MAPS OF THE STATE OF NEW HAMPSHIRE, AND THAT NO NEW LINES OR BOUNDARIES WERE SHOWN.

I HEREBY CERTIFY THAT A COPY OF THIS PLAN HAS BEEN FILED WITH THE DOVER PLANNING BOARD IN ACCORDANCE WITH RSA 676:8(a).

DATE: _____

Canney Brook II



Property Information

Property ID K0006-000000
Location 105 MIDDLE RD
Owner CANNEY BROOK ENGINEERING AND CONSULTING
Land Use 101

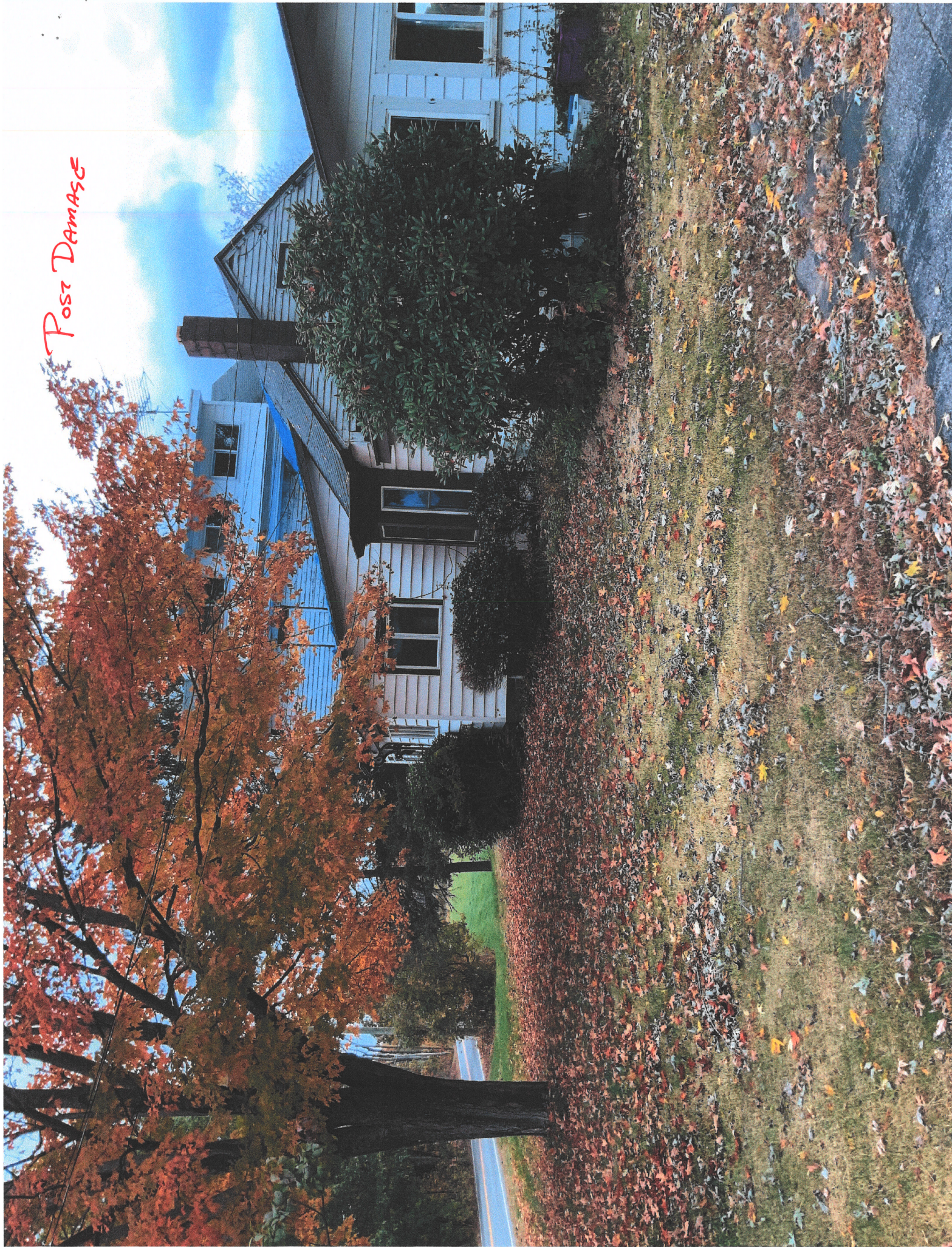
MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Dover, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 10/18/2019
Data updated Daily



Post Damage





Close To Middle Road

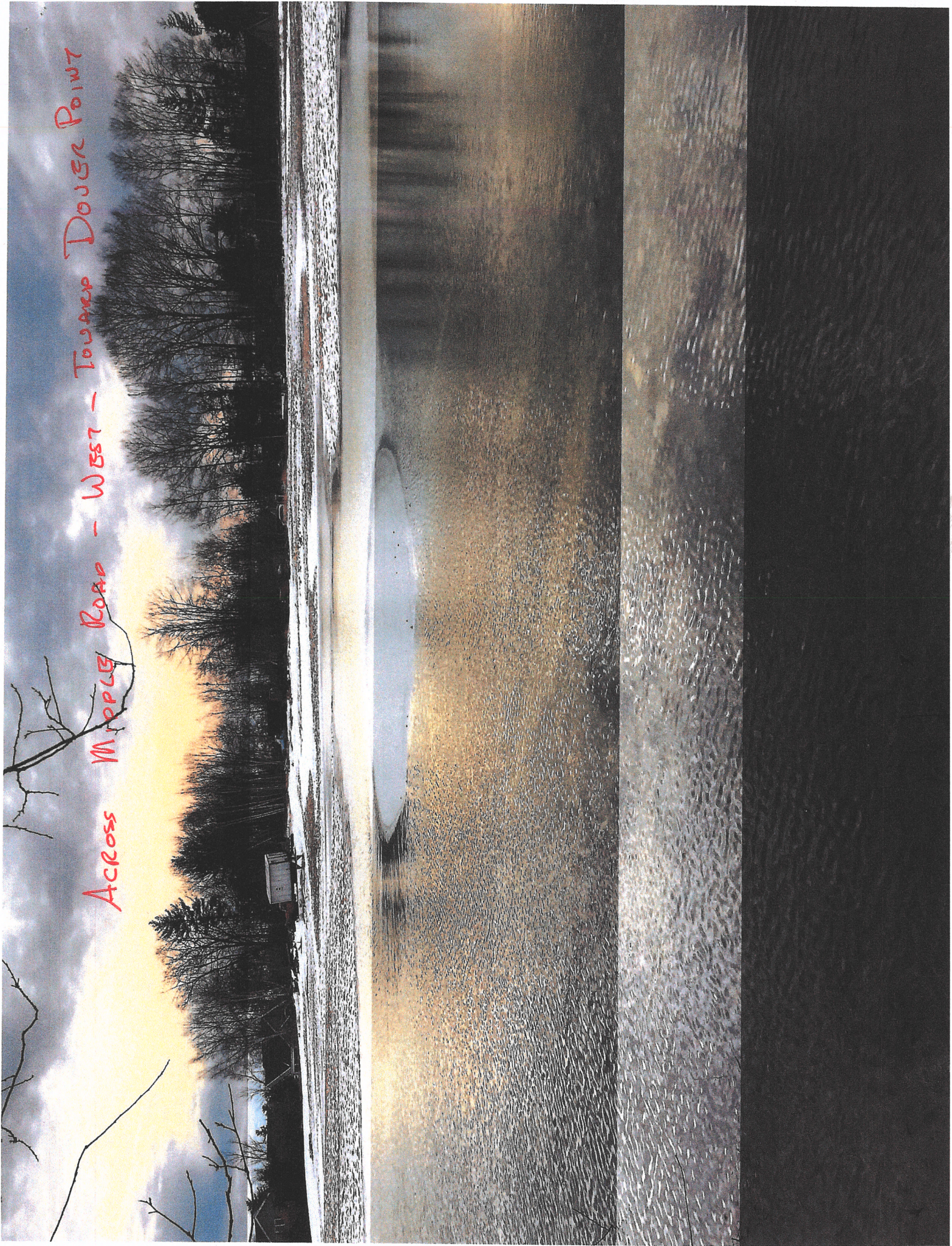
From North Side Thorwood Lane - TIGER LANE
TOWARD DWELLING



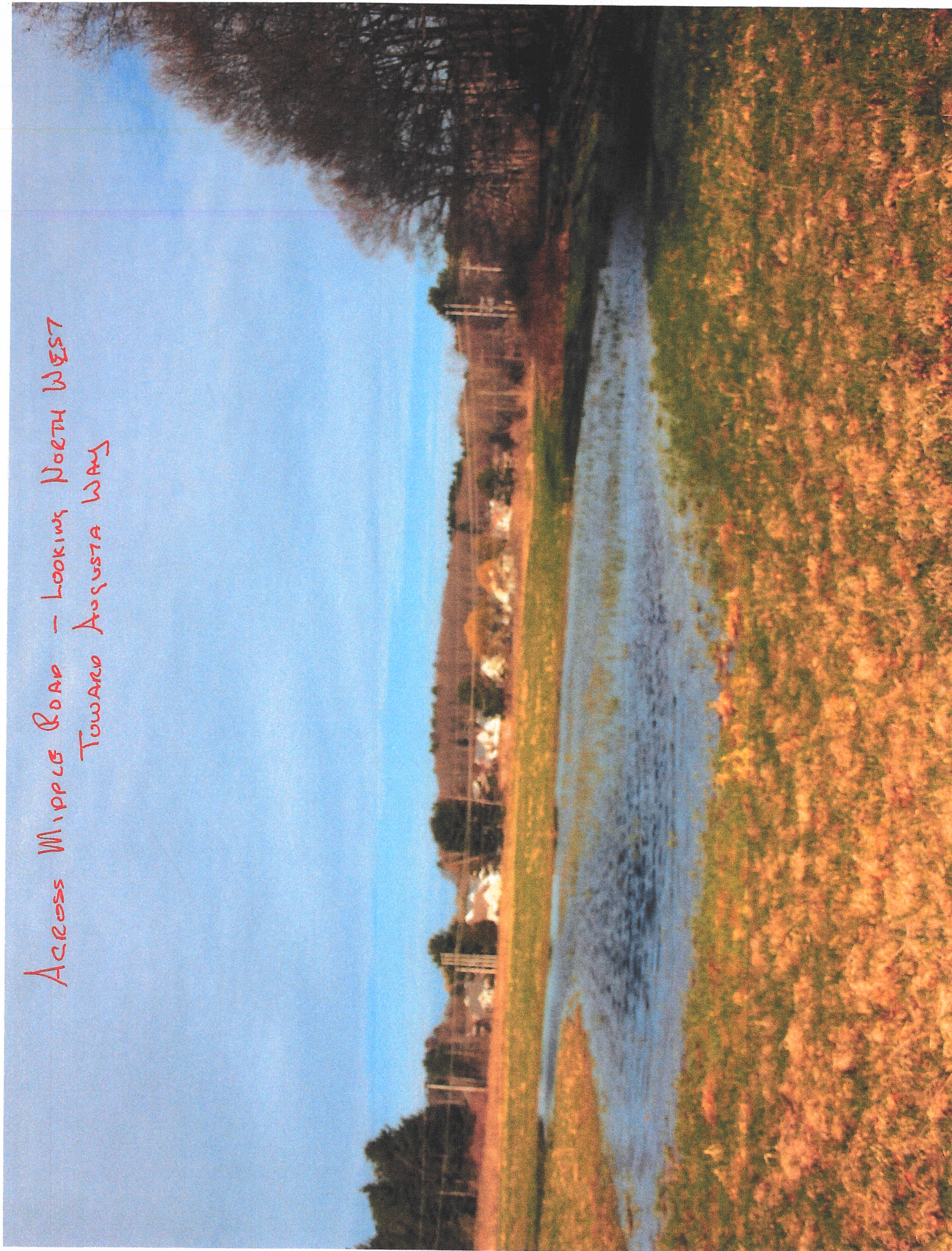
Across Middle Road - South - West
Toward Thornwood Lane



Across Maple Road - West - Toward Dover Point



Across Mipple Road - Looking North West
Toward Augusta Way



From Dwellings
Looking North



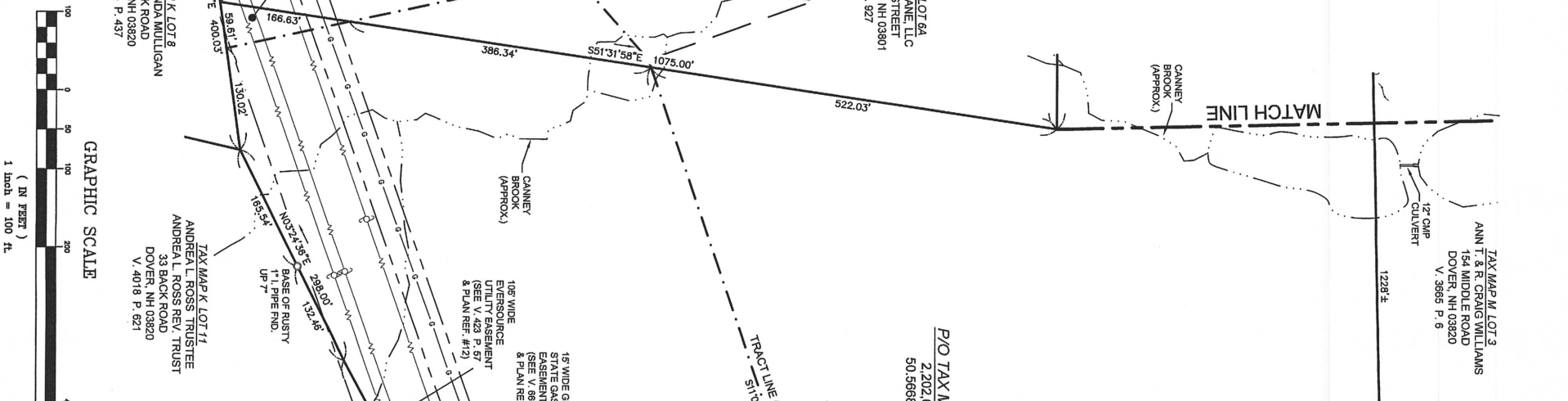
- ROBERT & JOANN ROULEAU,
TRITECH ENGINEERING
FOR FREE TRADE, INC.,
SURVEY ASSOCIATES,
SECTION, TAX MAP & LOTS 49
APPROXIMATE, LAST REVISED
PLAN 88-35, 36 & 37.
DAD, DOVER, N.H., DATED
ORDER PLAN 47-88
& PRESTON FAMILY,
ST. REVISED 8/28/13,
DUM, TERESA DRIVE &
TRITECH ENGINEERING,
TY OF DOVER INC. &
ROAD, DOVER, NEW
ENGINEERING CORPORATION,
OF DOVER INC., DOVER
NEW HAMPSHIRE, DATED
SECTION, SCRP PLAN 84-098.
AFFILIATES, MIDDLE ROAD
ALWORKS ENGINEERS &
ROAD AND BACK ROAD,
SURVEYORS AND SURVEYORS,
CK ROAD, DOVER, N.H.*
U.S. LAND SURVEYORS,
S/S, COACHEO STREET
REVISED 12/10 BY
DATED 1986, PREPARED

FOR THE

STATE OF NEW YORK
COUNTY OF ALBANY
JAN 13 1883
RECEIVED

SIGNATURE

SIGNATURE



SCALE: 1" = 100'

BOUNDARY SURVEY PLAN FOR
R. CRAIG WILLIAMS &
ANN T. WILLIAMS
TAX MAP K LOT 6
MIDDLE ROAD & BACK ROAD
DOVER, NEW HAMPSHIRE

FIRST STREET

TER, NH 03104
 2 00 736 8202

(603) 623-1910

JMWLLS.COM

INSPECTION & SEPTIC SYSTEM DESIGNER

SHEET 2 OF 2

18 2017

LLS, INC.

NO.	DATE	ADD TRACT REMNANT DIM'S & AREAS	DESCRIPTION	BY
1	9/4/19			

